Equality of Opportunity and Freedom from Discrimination

MHR Connections

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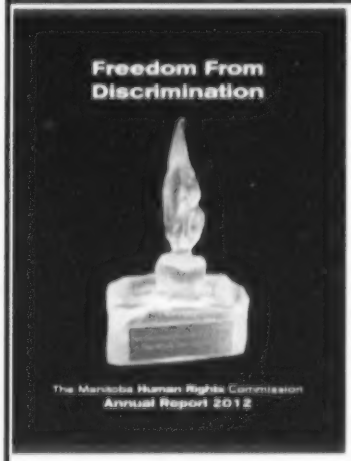

Government releases Manitoba Human Rights Commission 2012 Annual Report

"A disturbing number of sexual harassment allegations were referred to adjudication in 2012" says Chairperson Yvonne Peters after the release of the Commission's 2012 Annual Report. "Last year, of the 12 cases referred to adjudication 10 included allegations of sex discrimination (2) or sexual harassment." (8)

"Although it is too early to consider this is a trend, or to speculate why so many sexual harassment cases are being referred to adjudication, the one-year statistic is worrisome," she says. "Sexual harassment continues to exist."

Historically, between 2000 and 2011, only two human rights public hearings have been held in Manitoba in which the adjudicator was asked to consider allegations of sexual harassment. Generally over the past five years, between 3 and 4 per cent of the formal complaints filed have been on the basis of sexual harassment.

All the 2012 sexual harassment files that were referred to adjudication have been closed. Three of the files did go as far as a public hearing and either settled during the public hearings or a decision was handed down by the adjudicator. The others were settled before public notices were released, prior to adjudication dates being set.

Employment remains the highest area of discrimination complaints, while 47 percent of the complaints in all areas (employment, housing and services) continue to be those based on disability.

Highlights of 2012 include amendments to the Human Rights Code with the addition of two new protected characteristics: gender identity and social disadvantage. Also the 25th Anniversary of the Human Rights Code was celebrated.

The complete 2012 Annual Report is available on the Commission's website www.manitoba.ca/hrc

Also available on the website are the previous sexual harassment adjudications (Budge 2002 and JD 2005) under decisions and then, harassment.

The Rights Connection
by Elliot Leven - Vice-Chairperson

On October 29, 2013, a Public Hearing on *The Accessibility for Manitobans Act* (Bill 26) took place. The following letter was sent to The Honourable Jennifer Howard, Minister responsible for Persons with Disabilities.

On behalf of the Manitoba Human Rights Commission Board of Commissioners, I would like to take this opportunity to commend you on introducing *Bill 26, The Accessibility for Manitobans Act.* We share the goal of providing access for all Manitobans, and are pleased to see persons with physical and mental disabilities protected by this legislation. In doing so, Bill 26 builds on the rights of persons with disabilities and on the protections provided in *The Human Rights Code.*

The Manitoba Human Rights Commission recognizes about 50 per cent of its complaints are based on mental or physical disability, many of which are related to employers, landlords and service providers who fail to accommodate individual needs. We have been able to make strides in removing systemic barriers for persons with disabilities, such as the mediated settlement of a complaint that resulted in the City of Winnipeg committing to install audible pedestrian signals at intersections around our city over a designated time period. Using its website, its Bulletin and its conferences, the Commission also helps to educate the public about disability issues. Nevertheless, there remains a great deal of work to be done to improve the lives of persons with disabilities in this province. With a very clear, common goal, we are confident that we will remove barriers together.

Once proclaimed, we anticipate that the new legislation will complement the work of the Commission and will contribute greatly to ensuring full and equal participation by all Manitobans.

We appreciate all efforts made to ensure that the new legislation will work in harmony with *The Human Rights Code* and we support your strong commitment to ensuring access for persons with disabilities in Manitoba.

Better time line for audio signals

It was in October 2008 when The Manitoba Human Rights Commission and the City of Winnipeg reached a negotiated settlement, benefiting people with disabilities when they are crossing streets at controlled intersections. The agreement was reached after two individuals filed human rights complaints. The resulting agreement stated that all downtown intersections with pedestrian traffic signals would have audible pedestrian signals (APS) within 10 years, while outside the downtown area the time line would be within 15 years

Now after five years, it's time to check in where the process is and if those involved are comfortable with the work done to date.

Over 60% of downtown Winnipeg is complete, although there is a small change of plan that may affect future numbers. The City staff responsible for this project has called upon the users to make decisions. Committees of people with disabilities have been consulted and have changed the way future decisions are made.

The City staff has been informed that downtown is not always a priority for people with disabilities and other considerations should be taken into account. At a recent meeting, fifteen blind or seeing impaired people rated such things as high speed versus crossing distance, or pedestrian accidents versus permitted right turns on red. In what environment was the most danger to them?

After a series of comparisons, the group determined that crossing distance was the most important factor, but not by much.

When it came to prioritizing "demand" features such as closeness to a service agency or proximity to malls or hospitals, or personal requests versus closeness to a transit stop, the demand that rose to the top was transit stops.

What the city has done is to not only engage the community, but also is acting on their specific knowledge. So the 15 year time line does not appear to be changing, but where those changes take place will. The city has decided no longer to prioritize downtown but to now install APS where they are most needed by those who use them.

Traffic Signals Engineer with the City of Winnipeg Michael Cantor believes Winnipeg is now at the forefront of APS in Canada. Everyone is pleased and all believe that as Winnipeg comes closer to its goal of APS on all pedestrian signals by 2023, it will be recognized as the leader in the field in Canada, if not North America.

Photo: Logan Cathcart

Spencer West, who reached the top of Mount Kilimanjaro, says moments of triumph and tragedy come with unforeseen life lessons.

We Day inspires youth

The event may be over but for more than 16,000 students who crammed into Winnipeg's MTS Centre on October 30, 2013, We Day really never ends. Speakers, videos and music inspire students to recognize they have a part to play in making the world a better place. And it works. Students from around Manitoba left the event planning projects from bullying awareness to building schools in poor countries.

For three young girls who were guests of the Manitoba Human Rights Commission the We Day message is clear - you can make a difference.

Zehra, Laila and Safiya

And who was the most inspirational for them? It wasn't headline speakers Martin Luther King III or Martin Sheen, or even the R and B sound of Shawn Desmond.

For Laila it was Amanda Lindhout and her amazing story of being held hostage for 460 days in a cramped dark cell in Somalia. For Zehra it was the incredible Spencer West who lost his legs at the age of five. Safiya was fascinated by Molly Burke, who spoke about losing her sight beginning at age four and overcoming challenges in life, including the type of bullying she endured.

The Manitoba Human Rights Commission hopes to hear about the many projects inspired by We Day at its Youth Conference in April.

Jennifer Lynch QC, the former Chief Commissioner with the Canadian Human Rights Commission, died peacefully in the care of her family on November 13, 1013 in Ottawa.

Jennifer believed and lived by the principle enshrined in the Canadian Human Rights Act that 'all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have...'.

Jennifer was a trusted and respected mentor and advisor to her colleagues. She was a champion of young people and women in business with a talent and enthusiasm for connecting people. She treasured her legions of dear friends and was grateful for their love and support. Jennifer's kindness, compassion and generosity will be missed, as will her formidable energy and spirit. Her monument is the many lives she enriched.